



# TENNESSEE

## REAL ESTATE APPRAISER REPORT

### REAL ESTATE APPRAISER COMMISSION

### TENNESSEE DEPARTMENT OF COMMERCE AND INSURANCE

## Chairman's Report

by Bill Blackburn

Congratulations to Anne Pope, the newly appointed Commissioner of the Department of Commerce and Insurance.

Thanks to Paul Sampson our 1998-1999 Chairman for a job well done. The Commission is looking forward to the challenges the new millennium will bring before us. The Commission members along with our Director, Sandy Moore and her staff will be depending on all of you for your support and recommendations during the 1999-2000 term.

The Commission is looking forward to working with and assisting our fellow appraisers throughout the state. Questions or suggestions can be offered by contacting the Director, Sandy Moore. The Commission welcomes any requests or visits to our monthly meetings.

Much discussion has been made recently about the registered trainees in the state. We encourage all trainee sponsors to adequately supervise and educate their trainees to insure a high degree of competency and professional performance of directed assignments. To assist the trainees, the Commission recommends the trainee submit an experience log to the Commission for an informal review when the trainee has completed 500 hours of appraisal experience. This will give the trainee and the sponsor an indication of the trainee's progress level and compliance to the standards. Some of the problems, complaints, and allegations registered against trainees include:

1. The majority of complaints involve violations of the standards. This includes misleading reports and violation of Standards 1 and 2.
2. Trainees making inspections alone without adequate training experience.
3. Sponsors signing reports without reviewing the report.
4. Sponsors not adequately qualified to supervise trainees.

Along with these items of concern, the Commission is currently addressing the situation of requiring signatures of

the trainee on all reports. Since USPAP does not require the trainee to sign the report, the matter could be resolved by a change of rules. No decision has been made by the Commission at this writing.

The new 1999 USPAP changes became effective on March 31, 1999. Some significant changes have been made. We recommend everyone to acquaint themselves with USPAP and abide by the current standards.

Presently, our state has 565 certified general real estate appraisers, 671 certified residential, and 191 state licensed appraisers. There are 451 registered trainees.

In closing, it is the Commission's desire to be available to all persons wanting to communicate with us and to insure an atmosphere of a "friendly oriented" Commission.

Happy New Year!

## USPAP Q & A

*This communication by the Appraisal Standards Board (ASB) does not establish new standards or interpret existing standards. The ASB USPAP Q&A is issued to state and territory appraisal regulators to inform all states and territories of the ASB responses to questions raised by regulators and individuals; to illustrate the applicability of the Uniform Standards of Professional Appraisal Practice (USPAP) in specific situations; and to offer advice from the ASB for the resolution of appraisal issues and problems. The ASB USPAP Q&A does not constitute a legal opinion of the ASB.*

### Question:

When I'm deciding whether departure is appropriate in a real property appraisal assignment, how do I figure out what my "peers' actions would be in performing the same or similar assignment," as required by the Departure Rule?

### Answer:

Although the definition section of USPAP does not contain a definition of the term "peers," a good description of one's peers is provided in Statement 7:

*"Appraisers' peers" are other competent, qualified appraisers who have expertise in similar types of assignments involving similar types of properties.*

Appraisers' peers, therefore, may vary: an appraiser whose practice includes primarily urban single family residences will have different peers than one who specializes in dairy farms. Standards Rule 1-1(b) requires appraisers to

*be aware of, understand, and correctly employ those recognized methods and techniques that are necessary to produce a credible appraisal.*

The Competency Rule requires an appraiser "to have both the knowledge and the experience required to perform a specific appraisal service competently," and suggests a number of ways by which an appraiser can become competent, including personal study, association with others having the requisite knowledge and experience, and retention of experts.

Thus, USPAP suggests at least four ways for an appraiser to determine what his or her peers' actions would be in a specific situation: continuing education, personal research, association with competent appraisers and with other experts.

When confronted by the question, "what would my peers' actions be," an appraiser can research it himself, ask experts or refer to educational materials. However, the most direct way to find an answer is to develop and maintain relationships with competent appraisers and to discuss with them what their actions would be in a similar assignment.

### Question:

Is it okay for me to say in my appraisal

report that I've done a Limited Appraisal, even though I didn't invoke the Departure Rule?

**Answer:**

USPAP defines "Limited Appraisal" as:  
*the act or process of developing an opinion of value or an opinion of value developed and resulting from invoking the DEPARTURE RULE.*

By definition, then, if the Departure Rule is not invoked, an appraisal is not a Limited Appraisal. Further, all USPAP's reporting standards (Standards 2, 5, 8, and 10, and portions of Standards 3 and 6) require that in reporting a Limited Appraisal, an appraiser must "state and explain any permitted departures from applicable specific requirements." A report of a Limited Appraisal that lacks these required disclosures would violate USPAP; a report that disclosed departures that weren't actually taken would be misleading and so would also violate USPAP.

**Question:**

What standard rule have I departed from when I don't inspect the interior of the subject property?

**Answer:**

USPAP has no specific requirements for inspecting a property's interior. Standards Rule 1-1(b) requires an appraiser to "not commit a substantial error or omission or commission that significantly affects an appraisal." The Comment to that Rule also states:

*In performing appraisal services, an appraiser must be certain that the gathering of factual information is conducted in a manner that is sufficiently diligent, given the scope of work identified according to Standards Rule 1-2(f)....*

Standards Rule 1-2(e)(1) requires that an appraiser identify a subject property's physical characteristics, including its location and physical attributes. But, note that the required identification must be "relevant to the purpose and intended use of the appraisal." If an interior inspection is not relevant, it is not required. Determining whether an interior inspection is relevant is a scope-of-work decision, as described in Standards Rule 1-2(f). The Comment to that standard rule states:

*An appraiser must not allow assignment conditions or other factors to limit the extent of*

*research or analysis to such degree that the resulting opinions and conclusions developed in an assignment are not credible in the context of the intended use of the appraisal.*

However, if information about the property interior is relevant, but impossible to ascertain by personal inspection, the Comment to Standards Rule 1-2(e) requires an appraiser to:

\* *obtain the necessary information before proceeding, or*

\* *where possible, in compliance with Standards Rule 1-2(g), use and extraordinary assumption about such information.*

Additional guidance about inspecting properties may be found in Advisory Opinion 2, "Inspection of Subject Property Real Estate," Advisory Opinion 5, "Assistance in the Preparation of an Appraisal," and Advisory Opinion 15, "Using the Departure Provision in Developing a Limited Appraisal."

**Question:**

*Could the coming of Y2K (Year 2000) event, and problems that may result from it, have any effect on an appraiser's compliance with USPAP?*

**Answer:**

Though USPAP doesn't include material specific to Y2K, appraisers could find themselves in violation of their professional standards if they don't prepare properly for Y2K.

Standards 1, 4, 6, 7 and 9 all require appraisers to not "commit substantial error[s] of omission or commission" that could affect their appraisals. Further, appraisers must not "render appraisal services in a careless or negligent manner..."

Appraisers whose business systems have not been made Y2K-compliant may find that their appraisals violate these USPAP rules. Computer software, such as that used to analyze leases, makes mathematical calculations or access online data, may require updating to ensure that appraisers avoid making errors in their work.

Appraisal development standards also require appraisers to identify the scope of work necessary to solve specific appraisal problems. As stated in the Comment to Standard Rule 1-2(f):

*An appraiser must not allow assignment conditions or other factors to limit the extent of research of analysis to such a degree that the resulting opinions and conclusions developed in an assignment are not credible in the context of the intended use of the appraisal.*

Thus, an appraiser would not be excused for not taking the steps necessary to solve an appraisal problem due to office systems that were not adequately prepared for the transition to the Year 2000.

In addition, the coming of Y2K may affect the value or marketability of some properties. These include real, personal and business properties whose functions are heavily influenced by date-sensitive systems, including, but not limited to security, irrigation and communication systems. USPAP's appraisal development standards for all types of property require an appraiser to identify those characteristics of a subject property relevant to an appraisal's purpose and intended use. The development standards also require that appraisers collect sufficient data by which to credibly analyze value. These requirements suggest that appraisers should use special care in identifying Y2K issues in both subject and comparable properties for which those issues might have a significant value impact. For properties where Y2K compliance is a significant factor, but cannot be verified, appraisers should include an extraordinary assumption, as defined in USPAP, in their appraisal analyses. Appraisers may want to use language similar to the following when writing such an extraordinary assumption.

*The subject property includes mechanical and electronic systems whose operations may be affected by Y2K (Year 2000) related issues. The appraiser is not an expert in the detection of Y2K issues, but acknowledges that failures in critical systems could adversely affect the performance of the subject property or the market for similar properties. Unless the appraiser has been provided with specific information regarding the subject's Y2K status, the appraiser assumes that the performance of the subject's critical systems and those of similar properties within that market will not be adversely affected by Y2K issues.*

**Question:**

What is a Hypothetical Condition?

Can you give me some examples that might apply in a real property appraisal?

**Answer:**

A **Hypothetical Condition** is defined in USPAP as *that which is contrary to what exists, but is supposed for the purpose of analysis.*

*Comment: Hypothetical conditions assume conditions contrary to known facts about physical, legal or economic characteristics of the subject property or about conditions external to the property, such as market conditions or trends, or the integrity of data used in analysis.*

Examples of Hypothetical Conditions that might be necessary in a real property appraisal assignment include:

1. Appraising proposed improvements such as new construction or additions, as of a current date.
2. Appraising property as if it were free of any contamination when it is known to be contaminated.
3. Appraising a site as if sewer were available when the sewer is not available.
4. Appraising a site as if the zoning were changed.
5. Appraising irrigated farmland on the premise that the water supply is adequate for irrigated crop production, knowing that the existing developed supply is not adequate.

**Question:**

How does an Extraordinary Assumption differ from a Hypothetical Condition? Can you give some examples that might apply in a real property appraisal?

**Answer:**

An Extraordinary Assumption is defined in USPAP as *an assumption, directly related to a specific assignment, which, if found to be false, could alter the appraiser's opinions or conclusions.*

*Comment: Extraordinary assumptions presume as fact otherwise uncertain information about physical, legal, or economic characteristics of the subject property or about conditions external to the property, such as market conditions or trends, or the integrity of data used in an analysis.*

A Hypothetical Condition is defined in USPAP as *that which is contrary to what exists, but is supposed for the purpose of analysis.*

*Comment: Hypothetical conditions assume conditions contrary to known facts about physical, legal, or economic characteristics of the subject property or about conditions external to the property, such as market conditions or trends, or*

*the integrity of data used in an analysis.*

Appraisers may need to use extraordinary assumptions or hypothetical conditions in performing an assignment. When used in an assignment they become part of the "givens" in an assignment and have a significant effect on the appraiser's opinions and conclusions.

*The difference between whether a condition is extraordinary assumption or a hypothetical condition rests on what the appraiser knows about the condition in question.*

If an appraiser cannot verify a certain condition that is critical to the valuation but which he believes is true and has no reason to doubt is true, then the condition is an extraordinary assumption and the appraiser must comply with appropriate standards having to do with both the development and reporting of the condition.

If, on the other hand, an appraiser is asked to use a condition which he knows to be false but which is necessary for the analysis, then two things are required; the appraiser can use the condition as long as it meets the criteria in USPAP and the appraiser must not confuse the information with the known facts.

An appraiser must clearly distinguish "false conditions" from those other assumptions or conditions which are believed or taken to be true. To properly distinguish these two, the false conditions are called hypothetical conditions. The best way to distinguish the two is to ask whether the condition in question is known to be false. If, as of the date of value the condition in question is known to be false, then it is a hypothetical condition. If, as of the date of value, the fact of the condition is unknown and it is reasonable to believe that the condition is true, then the condition is an extraordinary assumption.

1. Appraising proposed improvements, such as new construction or additions, as of the date of completion (a prospective date of value).
2. Appraising a property as if it were free of environmental contamination when it is not known to be contaminated.
3. Appraising a site as if sewer were available when the fact is unknown and there is no apparent evidence that the sewer is not available.
4. Appraising a site under an assumed zoning when the zoning is not known and there is no evidence that the assumed zoning is not possible.
5. Appraising irrigated farmland on the premise that the water supply is adequate for irrigated crop production,

absent any evidence that the supply is not adequate.

**Question:**

The real property that I am appraising is in a market that was impacted by the major regional employer's closing of its facility three years ago. My client needs an opinion of value as of a date that preceded any knowledge of the facility being closed. Can't I include the fact that the facility closed in my retrospective appraisal?

**Answer:**

A thorough review of Statement on Appraisal Standards No 3 (SMT-3) is necessary to properly deal with the problem the appraiser faces in this question. The most relevant information in SMT-3 is:

*A retrospective appraisal is complicated by the fact that the appraiser already knows what occurred in the market after the effective date of the appraisal. Data subsequent to the effective date may be considered in developing a retrospective value as a confirmation of trends that would reasonably be considered by a buyer or seller as of that date. The appraiser should determine a logical cut off because, at some point distant from the effective date, the subsequent data will not reflect the relevant market. This is a difficult determination to make. Studying the market conditions as of the date of the appraisal assists the appraiser in judging where he or she should make this cut off. In the absence of evidence in the market that data subsequent to the effective date were consistent with and confirmed market expectations as of the effective date, the effective date should be used as the cut off date considered by the appraiser.*

The appraiser cannot include in the analyses the fact that an event subsequent to the date of value in a retrospective appraisal changed the market conditions that existed as of the date of value. Using such information is not consistent with the purpose of the appraisal because buyers and sellers had no knowledge or expectation of that subsequent event as of the date of value.

However, an appraiser may disclose facts in an appraisal report about events that occurred subsequent to the date of value in an appraisal. Such a disclosure is particularly appropriate when the appraiser has reason to believe the

intended users of the report could be misled by not knowing those facts in the current time frame, when the appraisal is being used.

**Question:**

The real property that I am appraising involves proposed improvements, and the client needs to know my opinion of market value as if the proposed improvements were complete, both as of the current date and as of a future date. I have two questions:

A. When the Date of Value is a current date, is my opinion developed on the basis of a hypothetical condition, or an extraordinary assumption?

B. When the Date of Value is a future date, when the proposed improvements will be complete, is my opinion developed on the basis of a hypothetical condition, or an extraordinary assumption?

**Answer:**

A. When the date of value is a current date, and the appraisal is of a property with proposed improvements as if those improvements were complete on a current date of value, the value opinion is developed on the basis of a hypothetical condition.

This is because the appraiser knows the proposed improvements do not, in fact, exist on that current date of value. Completing an analysis on the condition that something the appraiser knows to be contrary to what exists, but is supposed for purposes of reasonable analysis, is using a hypothetical condition in that analysis. (See Standard Rule 1-2(h))

B. When the date of value is a future date, and the appraisal is of a property with proposed improvements that are expected to be complete on or before that future date, the value of opinion is developed on the basis of an extraordinary assumption.

This is because the appraiser presumes the proposed improvements will, in fact, exist as of that future date of value. Completing the analysis on the condition that something the appraiser reasonably believes will exist as of a future date is using an extraordinary assumption in that analysis. (See Standard Rule 1-2(g))

In both situations, the appraiser is also making an extraordinary assumption about how the proposed improvements are completed. In the first instance (current date of value), the appraiser is presuming the proposed improvements were completed in accordance with the

documentation used to identify their characteristics. In the second instance (future date of value), the appraiser is presuming the proposed improvements will be completed in accordance with that documentation.

Note: The ASB is aware that the wording in the General Comments section of AQ-17 needs to be updated to reflect contemporary definitions for "Hypothetical Condition" and "Extraordinary Assumption" in USPAP. That revision will appear in the 2000 edition of USPAP.

**Question:**

The property I am appraising is land without improvements, to be valued "as is" without foreseeable change in zoning or use. Does Standards Rule 1-4(b)(1) mean that I must complete a cost approach to develop my market value opinion?

**Answer:**

In the assignment you describe, the land is the "subject" of the appraisal. Since there are no improvements and testing the economic feasibility of a change in use is not part of the appraisal problem, a cost approach is not relevant in this assignment. The methods and techniques that are applicable in solving the appraisal problem will depend on the purpose and intended use of the appraisal, and on the characteristics of the property.

As required by Standards Rule 1-1(a), an appraiser must be aware of, understand, and correctly employ those recognized methods and techniques that are necessary to produce a credible appraisal.

An appraiser's decision about which methods and techniques are necessary to solve the appraisal problem is largely shaped by the information gathered in response to Standards Rule 1-2(e), which requires an appraiser to "identify the characteristics of the property that are relevant to the purpose and intended use of the appraisal, ..."

In an appraisal where market value is the purpose, Standards Rule 1-3 requires an appraiser to identify and analyze the effect on use and value of existing land use, regulations, reasonably probable modifications of such land use regulations, economic demand, the physical adaptability of the real estate and market trends, and develop an opinion of the highest and best use of the real estate.

Having completed the actions

required by Standards Rule 1-2 and, when applicable, Standards Rule 1-3, an appraiser can reasonably determine which methods and techniques are applicable in solving the appraisal problem. While there are exceptions, land without improvements is often appraised by use of a sales comparison approach or income approach, or both.

**Question:**

Can I authorize someone else to sign an appraisal report for me, using my signature? If so, could you identify what steps I must take to do this correctly?

**Answer:**

USPAP does not specifically state that the appraiser can only personally sign a report. It does state that the signature be "personalized evidence indicating authentication" and requires the appraiser to have "sole personalized control of affixing the signature."

Standard Rule 2-3 states, "Each written real property appraisal report must contain a signed certification ...."

In the definitions section of USPAP, a signature is defined as: "personalized evidence indicating authentication of the work performed by the appraiser and the acceptance of the responsibility for content, analysis, and the conclusions in the report."

*Comment:* A signature can be represented by a handwritten mark, a digitized image controlled by a personalized identification number, or other media where the appraiser has sole personalized control of affixing the signature.

Unless specifically contrary to the law of a particular jurisdiction, USPAP allows another person to sign for an appraiser, as long as it is with the appraiser's specific authorization and is clear. One solution would be the other person to sign the appraiser's name and then write their own initials along side the signature, preceded by the word "by" (for example, "by abk").

**Question:**

What is the difference between a binding requirement and a specific requirement in USPAP?

**Answer:**

The difference is that binding requirements are absolute (i.e., compliance with the Standards Rule is required in every assignment), while specific requirements are conditional (i.e., compliance with the Standards Rule depends on specific assignment circumstances.)

In the definitions section of

USPAP, these terms are defined as follows:

**"BINDING REQUIREMENTS:** all or part of a Standards Rule of USPAP from which departure is not permitted. (See Departure Rule)"

Binding requirements *must always be complied with* in performing an assignment. These requirements are labeled as *binding* because they are necessary to develop credible results or to communicate those results in a manner that is not misleading.

**Question:**

I have been asked by a client to prepare a Restricted Use Appraisal Report that he plans to provide to another party. Does USPAP allow me to use this report option in such a circumstance?

**Answer:**

No. The Comment to Standards Rule SR 2-2 states, "*When the intended users do not include parties other than the client, a Restricted Use Appraisal Report may be provided.*" In other words, this particular report option may only be used when the client is the only intended user.

The reason underlying this use restriction is that the client is assumed to have a sufficient level of knowledge about the subject property to enable him or her to understand a report of this type. If other intended users were to be given such an abbreviated report, they could easily misunderstand it and potentially be misled.

**Question:**

Why are Provisions now Rules?

**Answer:**

The "Provisions" of the 1998 edition of USPAP were changed to "Rules" in the 1999 edition of USPAP because the word provision was problematic for the enforcement community.

Some individuals thought the that requirements in the provisions were not enforceable because they were not labeled as standards or rules, and were physically placed in front of USPAP's Definitions and standards rules.

A rule is more easily recognized as a requirement. It was necessary to re-label the provisions as rules to clarify their applicability and aid enforceability of the requirements they contain.

This change clarified and reinforced the intent that the requirements contained in the rules (former provisions) are an enforceable part of USPAP.

**Question:**

Why was the word "criminal" substituted for "unlawful, unethical or improper" in the Conduct section of the

Ethics Rule?

**Answer:**

This substitution was the result of recommendations from the enforcement community. The terms unethical or improper lack an objective standard of reference and the term "unlawful" included many actions that are not significant from a moral perspective. The term criminal is more definable and enforceable. It focuses on clearly identifiable actions that are significant.

**Question:**

What happened to Standards Rule 1-2 (e) from the 1998 edition of USPAP? The following sentence was removed: "However, if the value of the whole is not considered, the appraisal must clearly reflect that the value of the property being appraised cannot be used to estimate the value of the whole by mathematical extension."

**Answer:**

The cited rule from Standards Rule 1-2 (e) in the 1998 edition of USPAP was misplaced because it related to reporting, rather than development, and contained a limitation on use of information in an appraisal report rather than an analysis action requirement.

Standards Rule 1-2 (e) in the 1999 edition of USPAP is directed to identification actions to be completed in every assignment. Analysis actions are set forth in Standards Rules 1-3, 1-4, and 1-5 (a) and (b).

The analysis action requirement involved in the cited text is addressed in Standards Rule 1-4 (e) in the 1999 edition of USPAP, which states:

*"An appraiser must analyze the effect on value, if any, of the assemblage of the various estates or component parts of a property, and refrain from valuing the whole solely by adding together the individual values of the various estates or component parts."*

*Comment: Although the value of the whole may be equal to the sum of the separate estates or parts, it also may be greater than or less than the sum of such estates or parts. Therefore, the value of the whole must be tested by reference to appropriate data and supported by appropriate analyses of such data.*

*A similar procedure must be followed when the value of the whole has been established and the appraiser seeks to value a part. The value of any such part must be tested by reference to appropriate data and supported by an appropriate analysis of such data.*

**Question:**

I liked the word "consider" in the previous editions of USPAP, why was it taken out in so many places?

**Answer:**

The word "consider" was too broad a term for most USPAP applications. In a number of instances the use of the word "consider" tended to confuse the expectation of the standards rules. For example, USPAP often used the term "consider and analyze" such as "consider and analyze the effect on value". By removing the "consider" and have the rule state "analyze the effect on value" the rule clearly states the expectation for the appraiser to analyze the effect on value.

## Public View

by Daryl Nelkin

There is an inherent wisdom in the make up of the Real Estate Appraiser Commission. The law states the Commission shall consist of nine members, two of whom shall be public members, one of whom shall be a full time educator of appraisal education at a college level and six real estate appraisers.

My responsibility as a public member is to bring to the commission a layperson's point of view. Prior to my appointment, the knowledge I had of the real estate industry was that of a consumer. Armed with this experience I have been able to relate to the interpersonal relationship that inevitably exists between the appraiser, lending institution and property owner.

The diversity of experience on the Commission provides the public with a voice regulating an industry with enormous influence in their lives.

The monetary value of a home or business is expressed by the written appraisal. It is for this reason many people believe the licensed or certified real estate appraiser has great latitude in determining the value of their most valuable possession. We know the market actually determines value; however, if we operate under this public perception in mind, we will avoid many complaints and conflicts. Ultimately we are responsible to the people of the state of Tennessee, for whom we must consider in all our actions and deliberations.

# Commission Office News

The Department of Commerce and Insurance is revising the license renewal forms to conform to new equipment received by the Department of Revenue to facilitate the license renewals. The entire form will be sent to the post office box with no perforated stub. The continuing education forms will still be sent to the Appraiser Commission office address. This change will occur during the first half of the year 2000.

The Commission will soon complete a web site which will include applications, newsletters, general commission information, access to related sites, etc. It is anticipated that it will be in operation early this year.

The roster of real estate appraiser licensees, as well as other professions, is now on the Internet. You may find this information at [www.state.tn.us/commerce](http://www.state.tn.us/commerce). Click on On-line Resources, then Real Estate Appraiser Commission to retrieve a county listing of real estate appraisers. You may also still use the address, [www.state.tn.us/cgi-bin/commerce/roster2.pl](http://www.state.tn.us/cgi-bin/commerce/roster2.pl), to search by name, city, or zip code.

The Commission is in the process of getting a full listing of approved courses on the Internet. This listing will include all courses which have ever been approved and will list the beginning and expiration dates of approval. This will be updated on a daily basis and will provide a good tool to determine if a course can be accepted for qualifying or continuing education.

## Disciplinary Action

### June 1999

**Thomas Webster, CR-1283**

Hendersonville, TN

Violations: T.C.A. 62-39-329

Consent Order: 15-hour USPAP course

**Jeff Stiles, CR-50934 (current)**

McMinnville, TN

Violations: T.C.A. 62-39-103(a), 62-39-105

Consent Order: Pay \$1,000 civil penalty

### August 1999

**David E. Hopkins, CG-51031**

**Kenneth R. Harris, Unlicensed**  
**David T. Hatutian, Unlicensed**  
**Martin E. Korb, Unlicensed**

Independence, MO

Violations: T.C.A. 62-39-105(a)(b)

Consent Order: Pay \$2,000 civil penalty

### October 1999

**Heather Johnson, Unlicensed**

Orlando, FL

Violations: T.C.A. 62-39-103(a) and 62-39-105

Consent Order: Pay civil penalty \$1,000 and Cease and Desist

**Cookie Russell, Unlicensed**

**Monica Francisco, Unlicensed**

Harrogate, TN

Violations: T.C.A. 62-39-104 and 62-39-105

Consent Order: Each pay civil penalty \$500 and Cease and Desist

**Randy Shook, CR-482**

Lawrenceburg, TN

Violations: T.C.A. 62-39-329

Consent Order: 30-hour Procedures course and Rewrite appraisal report

**Dean Edwards, CR-801**

Dickson, TN

Violations: T.C.A. 62-39-329 and Rule 1255-5-.01

Consent Order: Restriction to residential appraisals

### December 1999

**Mary Ann Neill, CG-446**

Lewisburg, TN

Violations: T.C.A. 62-39-329

Consent Order: 30-hour Procedures course

**L. John Chittester, Unlicensed**

Abingdon, VA

Violations: T.C.A. 62-39-103(a)

Consent Order: Pay civil penalty \$1000 and Cease and Desist

## Complaints

Complaints which are submitted to the Real Estate Appraiser Commission office are public information. When a complaint is submitted to this office with a name, the licensee against whom the complaint is made will receive a copy of the full complaint including the identity of the complainant. Anonymous complaints may only be processed if they are accompanied by sufficient information which may be relied upon as a factual basis for the complaint.

## Course & Instructor Evaluation Form

The Commission is interested in assuring that our state's real estate appraiser applicants and licensees receive adequate and beneficial courses and seminars.

Your cooperation is appreciated by making copies of the form shown on page 7 and submitting a completed form after taking a course.

Please let us know if you are having difficulty locating courses within your area. We'd also like to know what continuing education subject area you might be interested in.

Thank you for your cooperation.

## Rulemaking Hearing

There will be a public hearing to discuss potential rules changes for the Real Estate Appraiser Commission on Monday, March 20, 2000. The hearing will be held in Room 140, Davy Crockett Tower, 500 James Robertson Parkway, Nashville, Tennessee. General items included in the hearing include the trainee program, fee structure, temporary practice, etc.

All persons are invited to attend. For a copy of the Notice of Rulemaking Hearing, please contact the Commission office: 500 James Robertson Parkway, Suite 620, Nashville, TN 37243, or 615-741-1831.

## Reminders

**USPAP** - The USPAP course consisting of at least 15 hours must be taken every five years. This rule applies to each Tennessee licensee. Licensees who do not meet this requirement will be subject to a civil penalty.

**Continuing Education** - The continuing education requirement is now 28 hours for the two-year renewal period. Anyone who renews after January 1, 2000, must meet this requirement.

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**Tennessee Department of Commerce and Insurance**  
**Tennessee Real Estate Appraisers Report**  
**is published quarterly by the**  
**Tennessee Real Estate Appraiser Commission**

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**Gary Standifer, Vice Chairman**  
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**Paul Sampson, Appraiser Member**  
**Johnson City**

**Donald Turner, Appraiser Member**  
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**Commission Meeting**  
**Dates for 2000**

January 24	Room 140
February 28	Room 140
March 20	Room 140
April 10	Room 140
May 15	Room 160
June 19	Room 160
July 17	Room 140
August 21	Room 140
September 18	Room 160
October 16	Room 160
November 13	Room 160
December 11	Room 160

Unless otherwise noted, the Commission meetings are scheduled to be held at 500 James Robertson Parkway, Nashville, Tennessee. Meeting starts at 9:00 a.m. The public is invited to attend. Please call the Commission to verify that the meeting will be held on scheduled date.

"The Tennessee Department of Commerce and Insurance is committed to principles of equal opportunity, equal access, and affirmative action." Contact the EEO Coordinator or ADA Coordinator (615) 741-0481 (TDD).

TENNESSEE DEPARTMENT OF COMMERCE AND INSURANCE  
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was promulgated for 2,000 copies per issue, at a cost of 24 cents per  
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